

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION  
CASE NUMBER: 1:21-cv-506

Tiffany Wade, individually, and on )  
behalf of all others similarly situated, )  
*Plaintiff*, )  
vs. )  
JMJ Enterprises, LLC and )  
Traci Johnson Martin, )  
*Defendants.* )

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*Defendants' Response in Opposition to  
Plaintiff's Motion to Continue the Trial  
based on Supplementation Requests*

COME NOW the Defendants, by and through the undersigned counsel, and pursuant to Local Rules 7.3(f), 37.1(c) and 40.1, responding in opposition to the Plaintiff's Motion to Continue the Trial of this matter to the extent that Plaintiff seeks discovery supplementation. In support of this opposition, the Defendants show unto the Court the following;

- 1) The Plaintiff filed a Motion to Continue the trial of this matter, which is currently scheduled for the court session beginning the week of May 5, 2025, citing multiple grounds for the continuance, including discovery related grounds.
- 2) The Defendants consent to a continuance of the trial date based on the Court's Order of February 28, 2024 [Doc. No. 111]. The undersigned counsel had not anticipated the scheduling of this trial during the court session beginning the week of May 5, 2025, and therefore had not informed the Defendants to maintain an open schedule during that time period. Consequently, the Defendants are not available for trial during the month of May, 2025 due to previously scheduled matters. Likewise, the undersigned counsel is scheduled for a hearing before the NC Industrial Commission beginning May 28, 2025.

- 3) In the Plaintiff's Motion to Continue the trial, she also seeks to send a supplemental notice to any new class members from November 2023 to present, and seeks to have the Defendants produce an updated class list and updated payroll/timekeeping information for the final class members in order to prepare a damages summary to aid the jury at trial.
- 4) To the extent the Plaintiff's Motion to Continue is based upon discovery related grounds, the Defendants object to such requests for the following reasons;
- a. To the extent the Plaintiff believes she is entitled, the Plaintiff has not filed a proper motion citing any facts, law or authority for the issuance of a supplemental notice; and,
  - b. To the extent the Plaintiff believes she is entitled, the Plaintiff has not filed a proper motion citing any facts, law or authority requiring the Defendants to produce an updated class list and updated payroll/timekeeping information for the final class members in order for the Plaintiff to prepare a damages summary to aid the jury at trial.
- 5) Without properly moving the Court, the Defendants are unable to adequately respond to Plaintiff's aforementioned requests.

**WHEREFORE**, the Plaintiff's Motion to Continue the Trial of this matter should be GRANTED based upon the Court's February 28, 2024 Order, and DENIED to the extent that it seeks such a continuance based upon the discovery related reasons.

This the 2<sup>nd</sup> day of April, 2025.

ANGELA GRAY LAW, P.A.

BY: /s/ Angela Gray  
Angela Newell Gray  
7 Corporate Center Court, Suite B  
Greensboro, NC 27408  
Telephone: (336) 285-8151  
Facsimile: (336) 458-9359  
Email: angela@angelagraylaw.com

*Attorney for Defendants/Counterclaim Plaintiff*  
NC Bar # 21006

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GREENSBORO DIVISION  
CASE NUMBER: 1:21-cv-506

Tiffany Wade, individually, and on )  
behalf of all others similarly situated, )  
*Plaintiff*, )  
vs. ) Certificate of Service  
JMJ Enterprises, LLC and )  
Traci Johnson Martin, )  
*Defendants.* )

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I, Angela Newell Gray, Attorney for the Defendants/Counterclaim Plaintiff, do hereby certify that I filed the foregoing Defendants' Response in Opposition to Plaintiff's Motion to Continue Trial with the Clerk of Court using the CM/ECF electronic filing service which will send electronic notification to the following CM/ECF participants: L. Michelle Gessner at michelle@mgessnerlaw.com.

This the 2<sup>nd</sup> day of April, 2025.

ANGELA GRAY LAW, P.A.

BY: /s/ Angela Gray  
Angela Newell Gray  
7 Corporate Center Court, Suite B  
Greensboro, NC 27408  
Telephone: (336) 285-8151  
Facsimile: (336) 458-9359  
Email: angela@angelagraylaw.com  
*Attorney for Defendants/Counterclaim Plaintiff*  
NC Bar # 21006